

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

### **Committee Substitute**

**for**

### **House Bill 2319**

BY DELEGATES UPSON, MR. SPEAKER (MR.  
ARMSTEAD), HAMILTON, ROHRBACH AND BALDWIN

[Introduced February 10, 2017; Referred  
to the committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §3-8-15, relating to requiring timely disclosure of fund-raising events, including  
3 contributions, of candidates or candidate committees for legislative office while the  
4 Legislature is in session; defining terms; imposing the same reporting requirements upon  
5 former candidates or candidate committees for legislative office who are still in office;  
6 clarifying that reporting under this section does not relieve a candidate or candidate's  
7 committee from regular reporting requirements; requiring the Secretary of State to create  
8 a form for disclosure; requiring the Secretary of State to publish information on the  
9 Secretary of State's website; authorizing the Secretary of State to establish a means for  
10 electronic filing and disclosure as an alternative; and authorizing the Secretary of State to  
11 promulgate legislative and emergency rules.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
2 section, designated §3-8-15, to read as follows:

**ARTICLE 8. REGULATIONS AND CONTROL OF ELECTIONS.**

**§3-8-15. Disclosure of contributions during legislative session.**

1 (a) In addition to other reporting required under this article, any member, or any candidate  
2 committee for a member of the Legislature who is a candidate for legislative office, who has a  
3 fund-raising event while the Legislature is in session, shall disclose the existence of the event and  
4 the receipt of all contributions, including the source and amounts, within five business days after  
5 the fund-raising event.

6 (b) The reporting requirements under this section also apply to former candidates or  
7 candidate committees for legislative office who are still holding any legislative office and who use  
8 a fund-raising event to retire or pay-off debt of a campaign account while the Legislature is in  
9 session.

10 (c) The reporting requirements of this section do not relieve a candidate or candidate's

11 committee from reporting contributions received and disclosed in conformity with this section from  
12 reporting them as required by the regular reporting requirements as contained in section five of  
13 this article.

14 d) The Secretary of State shall prepare a form for disclosure of these contributions and  
15 publish the information on the Secretary of State's website within forty-eight hours of the Secretary  
16 of State receiving the completed form: *Provided*, That as an alternative, the Secretary of State is  
17 authorized to establish a means for electronic filing and disclosure.

18 (e) Pursuant to article three, chapter twenty-nine-a of this code, the Secretary of State  
19 may propose rules and emergency rules for legislative approval relating to procedures and  
20 policies consistent with this section.

NOTE: The purpose of this bill is to .

Strike-throughs indicate language that would be stricken from a heading or the present law  
and underscoring indicates new language that would be added.